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SUBJECT: ANNAN IN KENYA REFORM PROCESS

¶1. As promised, Kofi Annan has remained intensively engaged in the carrying out of Kenya's reform agenda. On Sunday, January 4, Annan published a full page Op-Ed in all major Kenya papers in which he praised Kenya for progress made, but urged the Government of Kenya to quicken the pace of reforms "because the window of opportunity for serious reform will start to close sooner than we might wish."

¶2. Begin Text:

OP-ED BY H.E. KOFI A. ANNAN

Just over a year ago, Kenya entered an unprecedented spiral of violence and ethnic animosity. Today, having overcome its most serious national crisis since independence, Kenyans are starting a new year in peace and tranquility, with renewed optimism for a brighter future.

The contrast between the dark days of early 2008 and the ray of hope evident as 2009 begins is as stark as it is impressive.

It is also a testament to the peace-loving nature of the Kenyan people, the courage of the political leaders, and the persistence of civil society and other key stakeholders in organising themselves into a formidable force for peace.

2008 was an extraordinary year for Kenya. Not only did the country pull itself back from the brink of self-destruction, but its battered economy managed a modest recovery by year's end; its new Coalition Government launched Vision 2030 as a framework for the country's long-term and equitable development; and its athletes returned from Beijing with the most Olympic medals in Kenya's history. And the election to the US Presidency of a man with Kenyan roots became a source of pride for many Africans, and an inspiring reminder of our common humanity in an increasingly globalized world.

But it is too early for Kenyans to celebrate victory from adversity. There is still much to be done to ensure the country's long-term stability, and to improve the well-being of all its people. As we usher in 2009, let us reflect on what has been accomplished and what remains to be tackled to ensure that the crisis experienced last year will never reoccur.

First, what has been accomplished in 2008 to resolve the crisis. In February, Kenya's political adversaries, aided by the African Union and its international partners, negotiated a historic power-sharing settlement to peacefully resolve the dispute over the results of the 2007 presidential elections. Under the framework of the Kenya National Dialogue and Reconciliation, the Kenyan parties also concluded a series of agreements aimed at ending the violence, restoring fundamental rights and liberties, addressing the humanitarian crisis, promoting reconciliation and healing, resolving the political crisis, and tackling long-term issues affecting the nation.

On 17 April, the Coalition Government was formed. Its primary purpose: to address the root causes of the recurrent conflict in Kenya through the implementation of a coherent and far-reaching reform agenda. Since then -- and in spite of occasional open

displays of disagreement among some Cabinet members -- the coalition has not fallen apart, as some skeptics had predicted. And as Cabinet worked to improve service delivery to the Kenyan people, a collaborative spirit showed signs of strengthening, particularly between President Mwai Kibaki and Prime Minister Raila Odinga, who are ably steering the Coalition Government in the spirit of partnership envisioned in the National Accord.

Some progress has been achieved on the reform agenda, too. Two independent commissions, whose establishment was agreed upon during the mediation process, successfully completed their mandates and submitted their final reports to the Coalition Government and the AU Panel of Eminent African Personalities. First was the Independent Review Commission on the 2007 Elections (IREC), followed by the Commission of Inquiry into the Post-Election Violence (CIPEV).

Parliament has already passed several pieces of legislation to enable implementation of the National Dialogue agreements. That includes the Constitution of Kenya Review Act, which provides a roadmap for the preparation of a new Constitution within 12 months, followed by a referendum; the Truth, Justice and Reconciliation Act, which will establish a two-year Commission to promote peace, justice, national unity, healing and reconciliation among the people of Kenya; and the Constitution of Kenya Amendment Act, passed on 16 December, which will enable implementation of the crucial electoral reforms recommended by IREC.

Meanwhile, the agreement recently signed by President Kibaki and Prime Minister Odinga for the implementation of the CIPEV recommendations is an important affirmation of the Coalition Government's intention to end impunity and reform the police service.

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So what more could be done?

In my view, while the progress has been remarkable, the pace of the reforms should move faster. That is because the window of opportunity for serious reform will start to close sooner than we might wish. I am already concerned that a premature focus on the 2012 elections could distract the country from the more pressing priorities -- pursuing the IREC and CIPEV reforms and tackling the other long-term issues identified in Agenda Item Four of the National Dialogue.

I appreciate why some have dubbed Agenda Item Four the "mwananchi agenda", as it deals with those deep-seated problems that most directly affect the lives and livelihoods of most Kenyans -- whether it's poverty and inequity, youth unemployment, land grievances, ethnic discord, stalled judicial and other institutional reforms, or lack of action to counter corruption.

Kenyans are demanding more effective -- and more expeditious -- action on the "mwananchi agenda." They are eager to reap some benefit from the National Dialogue agreements. And their growing impatience is exacerbated by the rising cost of living and a perception that their elected Representatives -- the "ruling elite" -- are paying insufficient attention to their daily plight. Moving quickly to fully implement the tasks agreed in the National Dialogue talks would go a long way towards changing that perception.

And unless the entire reform agenda is effectively pursued, Kenya will remain vulnerable and liable to repeat the horrific violence witnessed last year. That is why the country's political leaders have the onerous responsibility of ensuring that Agenda Item Four reforms, as well as the recommendations of IREC and CIPEV, are fully implemented. Kenyans want to see their political leaders work hard and take decisions that result in fair and equitable policies that benefit everyone. Transparent and accountable governance is essential if the reforms are to endure.

Come 2012, voters will reward the parties and leaders who take the reform agenda seriously and work effectively for its implementation. Until then, it is essential that the people of Kenya -- civil society, the private sector, religious leaders, the media and other

stakeholders -- remain engaged and work with the politicians to advance the reforms.

I have the firm impression that sufficient political will now exists among the coalition partners -- and sufficient unity of purpose exists among the public at large -- to provide Kenya with a historic opportunity for peaceful transformation.

This is a time of immense challenges for Kenya. Yet it is also a time of great hope. By coming together as one people, in pursuit of shared objectives, I am confident that Kenyans will overcome the difficulties of the past, restore confidence in Kenya as a unified nation, and serve as a source of inspiration for people far beyond the country's borders.

The author is Chair of the African Union Panel of Eminent African Personalities and former Secretary-General of the United Nations

2 January 2009

End Text.
RANNEBERGER